

from the fact that the records are carried off by the sheriffs at the expiration of their terms of office, and partly from the extreme defectiveness of those records, and even in some cases the want of all records.'—p. 28.

The foregoing picture of most of the prisons seems to present but a reflex of the condition of the whole State in regard to crime; as will be seen by the following extracts:—

'A survey of the State this year shows that there is a strong and increasing tendency of crime to crystallize, if we may so say, into aggregates and masses. Men more rarely now than formerly commit robberies and burglaries alone. They operate extensively in groups. Some gangs are confined to single towns; others extend their operations over a whole county; others, still, embrace several counties; while the tendency is for individual gangs to affiliate with and reciprocally assist and receive assistance from all the others in the State. This tendency to aggregation is apparent in our larger cities, as well as in the rural districts. Through the agency of these affiliated societies of thieves property once stolen is passed rapidly from hand to hand, until it becomes almost impossible to trace it; or, if it is discovered, the original depredators cannot be ascertained, and therefore go unwhipped of justice. If this tendency to aggregation and organisation continues to increase for the future as it has done for the few years past, we shall soon have organised bands of associated depredators in all the counties of the State, whose members will be known to each other by secret grips, passwords, and other signs, who will mutually assist each other in disposing of their plunder, in baffling arrest, in escaping from jail, or in procuring bail, which will effect their release from custody.

'We had, from more than one quarter, proof offered to us, which, though it might not perhaps be deemed sufficient in a court of justice, was quite enough to convince our minds of the entire truth of this statement. The great importance of this subject makes it proper that we should illustrate it somewhat more in detail.

'There is a family residing in Oneida County who, according to common fame, have followed the profession of thieving for nearly twenty years. They have grown rich by their unlawful practices. Their children are educated in the best and most expensive seminaries. They dress genteelly, their manners are somewhat polished, and they appear tolerably well in society. Their operations are carried on through the counties of Oneida, Oswego, Otsego, Madison, Chenango, Schoharie, Delaware, and Sullivan. They have numerous well-trained confederates in all those counties, who are ready, by day or by night, at a moment's warning, to ride off in any direction for the sake of plunder, or for the concealment or protection of associates who are in danger of falling into the meshes of the law. These men have been indicted times without number in the above-mentioned counties, but none of them have ever been convicted, nor have any of them ever been in jail for a longer time than was sufficient for a bondsman to arrive

arrive at the prison. It is generally believed that there are farmers, apparently respectable, who belong to the gang, and share in the profits. Whether this be so or not, it is certain that whenever bail is needed, any required number of substantial farmers will come forward and sign their bonds, without regard to the amount of the penalty. These men, as might be supposed, exert a great political influence; and it is well understood that they are always ready to reward their friends and punish their enemies, both in primary conventions and at the polls. Although, as we have said, they have been repeatedly indicted, yet the number of their indictments bears but a small ratio to the number of their depredations. It usually happens that any one who is particularly active in bringing any of the gang to justice has his barn or dwelling soon after burned, or his horses are missing from the stable, or his sheep or cattle from the pasture. These things have happened so often that people are careful how they intermeddle in the matter of seeking to bring them to justice. If a person so intermeddling happens to have a mortgage on his property, it is apt to be very soon foreclosed. If he has political aspirations, thousands of unseen obstacles interpose to prevent the fulfilment of his hopes. If he is a trader, his custom falls off. If he is a physician, malpractice is imputed to him, or other malicious stories are circulated to his discredit; and at length matters come to such a pass that his only resource is to leave the county. All who make themselves conspicuous as their opponents are in some way made to feel the effect of a thousand blighting and malign influences which paralyse their energies and blast their hopes of success. Although the law has been powerless when exerted against the gang, they have been in the habit of using its energies with great effect against those who stood in their path. We were told with great circumstantiality, by men worthy of all confidence, of numerous instances where the forms of law were used to punish innocence and shield robbery under their skilful manipulations. We content ourselves with a single example, which may be taken as a specimen of the rest, and which we select from the mass, because some of the facts belonging to it came under our personal observation.

'We found in the jail of Pulaski, the half-shire town of Oswego County, a man and his wife who had been confined there for eighteen months on a charge of grand larceny. The man was evidently a quiet, inoffensive person; a member of the Methodist church, and a class leader in it. He was in good repute among his neighbours, and no one of them gave any credence to the story of his guilt. The wife was a more energetic person; and although there is no proof that she was ever actually connected with the gang, yet it is believed that she was quite willing to conceal their secrets so far as they might have been entrusted to her. Some time before her arrest, one of the gang ran off with her daughter, and neither he nor his associates would let her know where her child was concealed. This greatly enraged her, and she began to let out the secrets of the organisation, and to threaten vengeance against them. She was repeatedly warned to desist, and menaced with punishment if she continued

continued to operate against them; but she paid no attention to their threats, and continued her hostile action. One evening, just at dusk, a Jew pedler came in with his pack and requested her to let him stay all night. She assented, proposing to him to leave his pack in the front room, while they went into a rear apartment to get supper. They sat in the room until bedtime, and the pedler in his affidavit distinctly declares that she was never once out of his sight. When he was ready to retire she lighted a candle for him; but before going to bed he went into the front room to look at his pack, when, to his consternation, he found that it was gone. The next morning he entered a complaint before a justice, who was himself generally believed to be connected with the gang, against the couple at whose house he had lodged; and although the complainant swore that the woman was never out of his sight from the time he left the pack in the front room until he discovered that it was lost, and the husband proved, or offered to prove, that he was at a Methodist meeting during the whole time that the pedler was in his house, yet the justice committed them for trial. A respectable farmer now came forward and offered to be their bail, and was accepted by the magistrate. He told the woman at the same time, that if she would say no more about the gang and their affairs, she would hear no more about the larceny charge. But she was smarting so severely about the loss of her daughter, that she could not restrain her propensity to talk, and frequently gave information which was adverse to the interests of the parties who she believed were keeping her daughter in concealment. When the bondsman found that she would not keep quiet, he surrendered both her and her husband; and they were then committed to jail, where they had remained up to the time of our visit. Their cases had been put over from court to court, on account, it was alleged, of the absence of material witnesses for the prosecution. It was generally believed in the neighbourhood, that they would be kept there, on one pretence or another, just as long as it suited the interests of their prosecutors.

'Last summer one of the constables of Madison County had been very active in tracing out their operations, and they determined to give him a lesson. They procured a warrant from a justice supposed to be devoted to their interests, who deputed two of the gang to convey him to jail as special constables. It was not convenient for them (such at least was the pretence) to convey him to the prison immediately, so they were taking him to their own home, to be kept there until it should suit their purpose to carry him to the jail. Their route lay through the village of Hamilton, where the constable was well known; and when the citizens saw him in the custody of two members of the Rogues' Gang, instead of their being in his, it awakened a very lively curiosity in their minds. On being interrogated, they produced the warrant, which appeared regular on its face, and the citizens did not attempt to resist it; but they insisted that the prisoner should be taken directly to the jail, or otherwise they would forcibly release him. Finding that they were in earnest, the

the special constables finally yielded the point, and carried him to the jail. Five citizens of Hamilton made themselves especially conspicuous in the matter. Before a month had elapsed the barns of all of them were burned, and two of them lost valuable horses, which were stolen in the night. This last outrage roused the people of the vicinity into action. They knew, from long experience, that they could obtain no redress, through the tardy processes of the law, against the men who had for so long a time successfully resisted its action; and they resolved to take the law into their own hands, and administer punishment to the offenders. Disguising themselves effectually, they went at night to the house of the ringleaders, set fire to the barn, killed one of them outright, wounded another severely, and finally set fire to the dwelling-house, which, however, was extinguished before any serious damage had been done.

'The facts here narrated have not, it is true, been judicially verified; but we were visiting the county of Madison at the time when this instance of retributive vengeance occurred, and inquired minutely into all the circumstances, of the county officers and of the principal inhabitants, and we entertain no doubt that they were substantially true as above stated. *If there is any doubt about the matter, it will be easy for the legislature to establish their truth or falsity by a commission or committee of their own body, duly authorised to investigate them.*

'We do not suppose that any of the gangs of thieves and robbers in other counties are as well organised or as successful as this; but the defects in our criminal administration are tending to this result. The tendency to operate in bands is greater than ever before; and there is reason to fear that each year will add to the perfection of their organisation, and consequently to the success of their schemes of depredation.

'What can we expect, throughout the State, when such organisations shall have been everywhere formed and perfected? Since like causes produce like effects, can we doubt that the inhabitants of other counties will resort to the same remedy of private vengeance which we have seen in Oneida and Madison? The very foundation of society will be broken up, law will be despised, and, as with the Ishmaelites of old, "Every man's hand will be against his neighbour."—pp. 144-8.

{ The subjoined is a further extract :—

'During the fall of the present year several very daring burglaries and robberies were committed in Poughkeepsie and other parts of the Dutchess County. The policemen of Poughkeepsie bestirred themselves vigorously to find the guilty parties, and incurred considerable expense in making the necessary investigations. When the Board of Supervisors met they presented their bills, which were rejected. The Board refused to pay them a solitary cent for their services, or even to reimburse them for their actual expenses. On the night preceding our inspection of the jail, the houses of Judges
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